

[Your Name]
[Your Address]
[Your City State Zip]
[Your Phone]

[Today's Date]

[Recipient Name]
[Title]
[Address]
[City State Zip]

Dear [Recipient Name],

I am writing to you because our community, and other communities in Pennsylvania, need your intervention with the DEP. The DEP is imposing unnecessary rules and regulations regarding dams and is essentially strong-arming the communities into paying exorbitant fees or risk having their dams breached.

In January 2013 the DEP set up new rules, regulations, and fees but did not notify dam owners until January 2014. Their letter stated that a registration fee was being imposed on each dam. This registration fee was to be paid by July 2014 or we owners would have been forced to breach our dams. The fees which range from \$800 to \$1500 per dam, depending on the dam category, would go into the "Clear Water Fund." These dams have existed for over forty years and are inspected yearly by a certified engineer at cost between \$700 and \$1500. Copies of these certifications and inspections are sent to the DEP. In addition, we pay \$3000 per dam every five years for an "Emergency Action Plan", of which copies are also sent to the DEP. We are the responsible custodians of our lakes and dams.

The Clear Water Fund does not help any of the communities in Pike County, or in the State, as it is reserved strictly for DEP projects. In these terrible economic times, private communities are already having financial difficulties with maintaining their roads, equipment, and other property. We have nowhere else to turn but our homeowners, who are taxpaying Pennsylvanians. They are already overburdened with job loss, dwindling paychecks, rising insurance costs, and ever increasing gas and grocery bills. Do we really expect them to now pay extra money to rebuild or upgrade a dam which has passed yearly inspections?

In 1955, two hurricanes converged on Pennsylvania dropping 19½ inches of water in 24 hours. At that time there were very few private communities in Pike County and Pennsylvania with dams. There are currently 196 dams in Pike County and 3378 dams in Pennsylvania, most of which are owned by private communities. The majority of these dams were built after 1955 and were approved by the Army Corps of Engineers. The DEP tells us there will be a 500-year flood that will drop 34 inches of water in a 24 hour period. The dams that were built after the 1955 flood may not be able to handle that amount of water going over the spillways. For this reason, we must have engineers tell us how much water will go over the existing spillway and what additional length of spillway would need to be built to accommodate the remaining water flow. The cost of hiring an engineer and having a new spillway designed is an average expense of \$30,000. I am sure the Army Corps of Engineers considered potential flooding conditions prior to certifying construction of the dams. A dam breach analyst is more money spent by the private communities with no assistance from the State. If new spillway construction is required, there will be additional fees up to \$18,000. That is not counting the cost of the actual spillway itself, which can cost upwards of \$500,000 or more.

The DEP has mandated that each owner must put up a bond of \$30,000 to \$1,000,000 per dam in the event that it may have to be breached due to a problem. This would cover the cost of the breach and any damage downstream. Why should there be any damage downstream when it is a controlled breach? Dams are equipped with drawdown pipes and gates for this very purpose. In case of severe storms, we are able to draw down the lake three to five days before the storm to prevent flooding downstream. Most communities have catastrophe funds for such a purpose. Why do we need a bond? Communities cannot afford to tie up this amount of money indefinitely in a bond. Again the DEP threatens to dismantle the dams if we do not pay these bonds by 2016.

The DEP has set a January 8th, 2016 deadline on obtaining on these bonds. We in the private community associations are asking you to persuade the Governor assemble a committee as soon as possible to put a hold on these bonds and fees. One suggestion the committee can examine is setting up a fund, possibly \$1000 per community. This fund would be reserved solely for dismantling dams that are in need of serious repair or do not meet proper safety requirements. The next part of the committee's investigation should be a reasonable evaluation of a 500-year flood. We have had several floods in the past fifteen years. All of these storms produced 7 to 13 inches of rain, which caused severe flooding in the areas. Can we be realistic and wonder for a moment on what could possibly stop 34 inches of water? The probability of a 500-year flood is the same percentage as a 50-year flood; 2%. In the last fifteen years we have had five severe floods and not one dam has breached.

1. Hurricane Floyd - 1999
2. Tropical Storm Allison - 2001
3. Hurricane Ivan - 2004
4. Great flood - April 3rd & 4th, 2005
5. Great flood - June 2006

The benefits of dams provide a range of economic, environmental, and social benefits. These benefits include recreation, wildlife habitat, and flood control. Think about the money that is brought into the area by having homes and communities built around the lakes provided by these dams; State income tax, property tax, sales tax, as well as boosting the local economy. All of the residents in private communities, built around the dams, pay taxes and yet none of these communities receive any funding or help from the state.

In closing, we are asking for your help in putting a stop to the bonds and new registration fees being imposed. Perhaps assistance could be provided in the form of low-cost loans if we really have to build or modify these existing dams. Many communities simply cannot afford to continuously pay these excessive amounts of money to the DEP. If we cannot get help, surely a large percentage of communities will go into bankruptcy. Is the state prepared to assume financial responsibility of these communities and their dams?

Sincerely,

[Your Name]